

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA
Plaintiff,

vs.

Civil Action No. 02-CV-12490 REK

ROBERT AND KATHLEEN HAAG
Defendants.

ROBERT HAAG, and
KATHLEEN HAAG,

Plaintiffs,

Civil Action No. 04-CV-12344 REK

vs.

INTERNAL REVENUE SERVICE, AND
UNITED STATES OF AMERICA,
Defendants.

THE PLAINTIFFS' MOTION TO AMEND THEIR COMPLAINT

The Plaintiffs, Robert and Kathleen Haag, (hereinafter referred to as the "Plaintiffs") move this honorable Court to allow them to Amend their Complaint.

As reasons therefore the Plaintiffs state that their Complaint is being amended to supplant the claims against the employees of the Internal Revenue Service with a claim pursuant to IRC § 7433.

The Plaintiffs respectfully request that the Court note that the Plaintiffs informed the Court of their intended filing of a claim pursuant to IRC § 7433 in the Joint Statement filed with

the Court on April 1, 2005.

Counsel for the United States does not oppose the Plaintiffs' Motion.

For these reasons, the Plaintiffs pray this honorable Court to:

- a. Allow the Plaintiffs' Motion to Amend their Complaint; and,
- b. Any and all other remedies that this honorable court deems appropriate.

Kathleen Haag
Robert Haag
by their Attorney

/s/ Timothy Burke
Timothy J. Burke
Burke & Associates
400 Washington Street
Braintree, MA 02184
(781) 380-0770

Dated: October 3, 2005

Plaintiff's Certificate of Compliance with Local Rule 7.1.

Plaintiff's counsel hereby certifies that his office telephoned counsel for the United States, Stephen Turanchik, on Friday, September 30, 2005. Counsel did not oppose the Plaintiffs' motion.

/s/ Timothy J. Burke
Timothy J. Burke

Certificate of Service

I hereby certify that a true copy of the above document was served upon each attorney of record, via first class mail on October 3, 2005.

/s/ Timothy J. Burke
Timothy J. Burke